

Application Number 09/992,708  
Responsive to Office Action mailed January 13, 2005

### **REMARKS**

This amendment is responsive to the Office Action dated January 13, 2005. In response to the prior restriction requirement, the Applicant elected Group I (claims 1-8, 15-22 and 29-42). Claims 9-14 and 23-28 were withdrawn. In this amendment, Applicant has amended claims 1, 15, 29 and 36. Claims 1-8, 15-22 and 29-42 are pending.

In the Office Action, the Examiner rejected claims 1-7, 15-21, 29-30, 32 and 34-41 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,832,200 to Greeven et al. (hereinafter "Greeven").<sup>1</sup> Additionally, the Examiner rejected claims 8, 22, 31 and 42 under 35 U.S.C. §103(a) as being unpatentable over Greeven in view of U.S. Patent No. 6,148,233 to Owen et al, and rejected claim 33 under 35 U.S.C. §103(a) as being unpatentable over Greeven.

Applicant respectfully traverses these rejections to the extent such rejections may be considered applicable to the amended claims. The applied references fail to disclose each and every feature of the claimed invention, as required for a rejection under 35 U.S.C. §102, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

#### ***Claims 1-8***

For example, the cited references fail to disclose or suggest a method comprising transmitting a USB token packet to a first module of a medical device *via an internal system bus*, receiving a data packet from the first module *via the internal system bus*, and transferring the data packet to a second module of the medical device *via the internal system bus* using a USB protocol, as required by independent claim 1 as amended. The Examiner cited Greeven, FIG. 2 and column 5, lines 15-29, as teaching the subject matter of claim 1. However, in direct contrast to the requirements of independent claim 1, Greeven et al. discloses communication with *peripheral* devices via an *external* control bus 204 (FIG. 2). For example, Greeven, FIG. 2, shows a drug delivery appliance 100 that communicates with *peripheral* patient parameter sensors 202 via the control bus 204.

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<sup>1</sup> Notably, although the Examiner concludes that claims 2-5, 16-19 and 38-40 are anticipated by Greeven, the Examiner relies on three additional references as disclosing requirements of these claims that, presumably, are not disclosed by Greeven. To the extent that the Examiner would apply the same references to Applicant's claims as amended herein, Applicant requests clarification as to the basis for rejecting the amended claims under § 102.

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In paragraph [0006] of the current application, the Applicant acknowledged that, "USB-type interfaces have conventionally been used to connect devices *externally* . . ."<sup>2</sup> Later within paragraph [0006], the Applicant distinguished the current invention from such conventional uses of USB-type interfaces, stating that, "[a]ccording to principles of the invention, however, a USB-type interface connects devices or modules *internally* within a medical device system."<sup>3</sup> The Applicant submits that Greeven merely teaches the conventional use of USB-type interfaces to communicate with external, e.g., peripheral, devices (*see* Greeven column 1, line 50).

In sum, Greeven fails to disclose each and every feature of amended independent claim 1, as required for a rejection under 35 U.S.C. §102. Furthermore, the other cited references do not appear to disclose or suggest the above-identified requirements of claim 1, and provide no teaching that would suggest modification of Greeven to meet such requirements. For at least these reasons, Applicant requests withdrawal of the rejections of claims 1-8.

#### ***Claims 15-22***

Independent claim 15 recites a processor-readable medium containing instructions for causing a processor in a medical device to transmit a USB token packet to a first module of the medical device *via an internal system bus*, receive the data packet from the first module *via the internal system bus*, and transfer the data packet to a second module of the medical device *via the internal system bus* using a USB protocol.

As discussed with respect to independent claim 1, Greeven fails to disclose or suggest communication via an internal system bus using USB protocol. Accordingly, Greeven fails to disclose each and every feature of claim 15, as required for a rejection under 35 U.S.C. §102. Furthermore, the other cited references do not appear to provide any teaching that would suggest modification of Greeven to arrive at Applicant's invention as recited in claim 15. For at least these reasons, Applicant requests withdrawal of the rejections of claims 15-22.

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<sup>2</sup> Emphasis added.

<sup>3</sup> Emphasis added.

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**Claims 29-42**

Independent claim 29 recites a medical device comprising a system control module, a plurality of functional modules, and an *internal* system bus coupled to the system control module and to the plurality of functional modules, the *internal* system bus arranged to transfer data packets between the functional modules and the system control module according to a USB protocol.

As discussed with respect claim 1, Greeven fails to disclose an internal system bus arranged to transfer data packets between functional modules and a system control module according to a USB protocol. Accordingly, Greeven fails to disclose each and every feature of claim 29, as required for a rejection under 35 U.S.C. §102.. Furthermore, the other cited references do not appear to provide any teaching that would suggest modification of Greeven to arrive at Applicant's invention as recited in claim 29. For at least this reason, Applicant requests withdrawal of the rejections of claims 29-42.

**CONCLUSION**

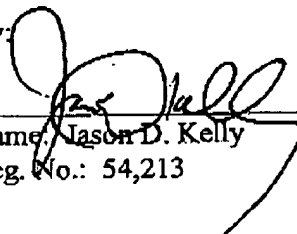
All claims in this application are in condition for allowance. The Applicant respectfully requests reconsideration and prompt allowance of all pending claims. The Applicant does not acquiesce with any of the Examiner's current rejections or characterizations of the prior art, and reserves the right to further address such rejections and/or characterizations. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

4/13/05

SHUMAKER & SIEFFERT, P.A.  
8425 Seasons Parkway, Suite 105  
St. Paul, Minnesota 55125  
Telephone: 651.735.1100  
Facsimile: 651.735.1102

By:

  
Name: Jason D. Kelly  
Reg. No.: 54,213